

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8065 OF 2004

WITH

WRIT PETITION NO. 9397 OF 2004

Udharam A. Parwani . . . Petitioner.

vs.

Union of India & Ors. . . Respondents.

Mr. S.P. Kanuga for petitioner.

Mr. A. N. Sawant for respondent no.1.

CORAM : S.U. KAMDAR, J.

DATE : 20th December, 2005.

P.C.:

. Rule. Hearing expedited.

2. Interim relief of not to evict the petitioner from the premises on the condition that the petitioner to deposit in the Court a sum of Rs. 30 lacs in three equal monthly instalments of Rs. 10 lacs each commencing from 15.1.2006 and subsequent two instalments will be payable on 15.2.2006 and 15.3.2006. The petitioner also in addition to the above deposit shall pay monthly compensation of Rs. 30,000/- commencing from 10.1.2006 and on each and every succeeding month till further orders are passed by this Court. In an

event of any default either in depositing the aforesaid amount of Rs. 30 lacs or in payment of compensation amount, the interim order to stand vacated and the respondent authorities will be entitled to take possession of the premises from the petitioner herein. The hearing of the petition is fixed in the second week of June, 2006. The respondents will be at liberty to withdraw the amount of Rs. 30 lacs which is deposited by the petitioner pursuant to this order subject to the respondent filing an undertaking that in an event they losing the petition they undertake to refund the amount as may be directed by the Court at the time of hearing of the petition with 8% interest. In an event if Rs. 30 lacs are deposited by the petitioner, then the securities furnished by the petitioner in the Bombay city Civil Court of various properties for covering the amount of Rs. 15 lacs will stand discharged.